

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|--------------------------|---|-----------------|
| JOEL F. HOLUBAR, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| v. |) | CIVIL ACTION |
| |) | NO. 03-12404-NG |
| KENT KHOLBERGER, et al., |) | |
| |) | |
| Defendants. |) | |

SCHEDULING ORDER

Following the initial scheduling conference held today pursuant to Fed. R. Civ. P. 16(b) and Local Rule 16.1, it is hereby ORDERED as follows:

1. Initial disclosures shall be completed by **April 30, 2004.**
2. The parties shall propound any initial written discovery requests by **May 14, 2004.**
3. Fact discovery shall be completed by **September 3, 2004.**
4. Any discovery motions shall be filed by **September 3, 2004.**
5. The next status conference is scheduled for Friday **September 10, 2004 at 10:00 A.M.** At that time, the parties shall be prepared to discuss:
 - (a) The status of the case.
 - (b) Scheduling for the remainder of the case through trial.
 - (c) Use of the court's alternative dispute resolution ("ADR") program.
 - (d) Consent to trial before the Magistrate Judge.
6. The parties shall submit a brief joint statement no later than five (5) business days before the conference addressing the issues itemized in paragraph (5) above. The parties shall just indicate if an agreement has been reached to

utilize ADR or to have the matter tried by the Magistrate Judge. The respective positions of each party do not have to be identified.

DATED: April 16, 2004

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge